

NEBRASKA

Good Life. Great Mission.

DEPT OF CORRECTIONAL SERVICES

March 25, 2020

JOSEPH P. KELLY
NEBRASKA US ATTORNEY
1620 DODGE ST, SUITE 1400
OMAHA, NE 68102

Re: PATRICK NEWCOMER #211208
DIAGNOSTIC/EVALUATION CENTER, LINCOLN, NE

Dear Prosecutor:

On March 17, 2020, the NEBRASKA US MARSHAL SERVICE filed a detainer on your behalf charging NEWCOMER with:

<u>Case</u>	<u>Charge</u>	<u>Disposition</u>
8:19CR334	FELON IN POSSESSION OF A FIREARM	UNTRIED
8:19-CR374	BURGLARY OF A POST OFFICE AND THEFT OF MAIL	UNTRIED

Nebraska Statute 29-3801-3809 provides for disposition of untried charges. NEWCOMER is requesting a quick and speedy disposition of your charges under this Statute. Enclosed for your use are Nebraska Detainer Form II (Inmate's Notice of Place of Imprisonment and Request for Disposition of Indictments, Informations or Complaints), Form III (Certificate of Inmate Status) and Form IV (Offer to Deliver Temporary Custody).

Should your office decide to proceed with prosecution of this person, please complete Nebraska Detainer Form VI (Evidence of Agent's Authority to Act for Receiving Jurisdiction) and Form VII (Prosecutor's Acceptance of Temporary Custody Offered in Connection with a Prisoner's Request for Disposition of a Detainer).

Once your office has had an opportunity to review this matter, would you please advise our office what your intended disposition will be.

Sincerely,

CRAIG GILSDORF
AGREEMENT ADMINISTRATOR
SPECIAL SERVICES UNIT

Enc.

Xc: DISTRICT COURT CLERK - US DISTRICT COURT CLERK, OMAHA, NE
Records Manager - DIAGNOSTIC/EVALUATION CENTER
Inmate - PATRICK NEWCOMER #211208
File

RECEIVED

MAR 30 2020

CLERK
U.S. DISTRICT COURT

Scott R. Frakes, Director
Dept of Correctional Services
P.O. Box 94661 Lincoln, NE 68509-4661
Phone: 402-471-2654 Fax: 402-479-5623
corrections.nebraska.gov

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2020 MAR 30 PM 1:07
OFFICE OF THE CLERK

Peter Ricketts, Governor

DISPOSITION OF UNTRIED CHARGES
NEBRASKA INTRASTATE DETAINERS

FORM II

INMATE'S NOTICE OF PLACE OF IMPRISONMENT AND REQUEST FOR
DISPOSITION OF INDICTMENTS, INFORMATIONS OR COMPLAINTS

Four copies, if only one county has an indictment, information or complaint pending. Additional copies will be necessary for prosecuting officials and clerks of court if detainees have been lodged by other counties. One copy should be retained by the director. Signed copies must be sent to the prosecuting official of the county which placed the detainer, and the clerk of the court which has jurisdiction over the matter. The copies for the prosecuting officials and the court must be transmitted by certified or registered mail, return receipt requested.

TO: JOSEPH P. KELLY, US ATTORNEY
(Prosecuting Officer)

DISTRICT: NEBRASKA, OMAHA, NEBRASKA
(Jurisdiction)

And to all other prosecuting officers and courts of jurisdictions listed below from which indictments, informations or complaints are pending.

You are hereby notified that the undersigned is now imprisoned in

DIAGNOSTIC/EVALUATION CENTER, LINCOLN, NEBRASKA

and I hereby request that a final disposition be made of the following indictments, informations or complaints now pending against me:

NEBRASKA US MARSHAL SERVICE ATTN: KAMELA SKINNER, OMAHA, NEBRASKA

8:19CR334 FELON IN POSSESSION OF A FIREARM
8:19-CR374 BURGLARY OF A POST OFFICE AND THEFT OF MAIL

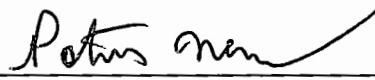
Failure to take action in accordance with Nebraska Statutes 29-3801 through 29-3809 will result in the invalidation of the indictments, informations or complaints.

I hereby agree that this request will operate as a request for final disposition of all untried indictments, informations or complaints on the basis of which detainers have been lodged against me from your state. I also agree that this request shall be deemed to be my waiver of extradition with respect to a charge or proceedings contemplated hereby or included herein, and a waiver of extradition to your state to serve any sentence there imposed upon me, after completion of my term of imprisonment in this state. I also agree that this request shall constitute a consent by me to the production of my body in any court where my presence may be required in order to effectuate the purposes of Nebraska Statutes 29-3801 through 29-3809 on Detainers and a further consent voluntarily to be returned to the institution in which I am now confined.

If jurisdiction over this matter is properly in another agency, court or officer, please designate the proper agency, court or officer and return this form to sender.

The required Certificate of Inmate Status and Offer of Temporary Custody are attached.

Dated: March 17, 2020


(Inmate's Signature)

PATRICK NEWCOMER #211208
(Inmate's Name and Number)

The inmate must indicate below whether he has counsel or wishes the court to appoint counsel for purposes of any proceedings preliminary to trial which may take place before his delivery to the jurisdiction in which the indictment, information or complaint is pending. Failure to list the name and address of counsel will be construed to indicate the inmate's consent to the appointment of counsel by the appropriate court in the receiving state.

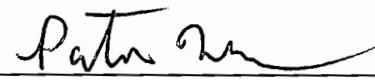
A. My counsel is Mike Tasset

Whose address is _____

B. I request the court to appoint counsel.

I (have read the above) (have had the above read and explained to me), and I understand its meaning and agree thereto.

Dated: 3-25-2020


(Inmate's Signature)

PATRICK NEWCOMER #211208
(Inmate's Name and Number)

Dated: 3-25-20

WITNESS: 

CRAIG GILSDORF, AGREEMENT ADMINISTRATOR, SPECIAL SERVICES UNIT OR DESIGNEE

WITNESS: _____
(Signature)

(Name and Title)

DISPOSITION OF UNTRIED CHARGES
NEBRASKA INTRASTATE DETAINERS

FORM III

In the case of an inmate's request for disposition, this form should be attached to all copies of Form II. In the case of a request initiated by a prosecutor, a copy of this form should be sent to the prosecutor upon receipt by the director of Form V. Copies also should be sent to all other prosecutors in Nebraska who have lodged detainees against the inmate. A copy may be given to the inmate.

CERTIFICATE OF INMATE STATUS

RE: PATRICK NEWCOMER 211208
(Inmate) (Number)

DIAGNOSTIC/EVALUATION CENTER LINCOLN, NEBRASKA
(Institution) (Location)

The (custodial authority) hereby certifies:

1. The term of commitment under which the above-named prisoner is being held and offense information:
1 year to 1 year

2. The time already served:
74 days

3. Time remaining to be served:
108 days

4. The amount of good time earned:
183 days

5. The date of parole eligibility of the prisoner:
July 11, 2020

6. The decisions of the Board of Parole relating to the prisoner:

7. Maximum expiration date under present sentence:
July 11, 2020

8. Detainers currently on file against this inmate from your district are as follows:
Yours only

9. Current offense information:
Received Date - 03/02/2020

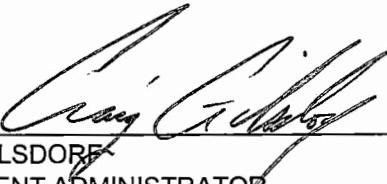
<u>Attempt Code</u>	<u>Offense Description</u>	<u>Run Code</u>	<u>Offense Term</u>			<u>County of Commitment</u>
			<u>Minimum</u>	<u>Maximum</u>		
			<u>Years</u>	<u>Months</u>	<u>Days</u>	
	BURGLARY		1	0	0	To 1 0 0 DOUGLAS

DISPOSITION OF UNTRIED CHARGES
NEBRASKA INTRASTATE DETAINERS

FORM III

<u>Attempt Code</u>	<u>Offense Description</u>	<u>Run Code</u>	<u>Offense Term</u>			<u>County of Commitment</u>
			Minimum <u>Years</u>	<u>Months</u>	<u>Days</u>	
	NO OTHER OFFENSES					

DATED: March 25, 2020



CRAIG GILSDORF
AGREEMENT ADMINISTRATOR
SPECIAL SERVICES UNIT
(for) DIRECTOR - SCOTT FRAKES
DEPARTMENT OF CORRECTIONAL SERVICES

CUSTODIAL AUTHORITY

Name: TAGGART BOYD, WARDEN
 Institution: DIAGNOSTIC/EVALUATION CENTER
 Address: 3220 WEST VAN DORN
 City/State: LINCOLN, NE 68542-2800
 Telephone Number: (402) 471-3330

DISPOSITION OF UNTRIED CHARGES
NEBRASKA INTRASTATE DETAINERS

FORM IV

OFFER TO DELIVER TEMPORARY CUSTODY

In the case of an inmates's request for disposition, copies of this Form should be attached to all copies of Form II. In the case of a request initiated by a prosecutor, this Form should be sent to all officials who previously received copies of Form III. One copy also should be given to the prisoner and one copy should be retained by the director. Copies mailed to the prosecutor should be sent by certified or registered mail, return receipt requested.

DATE: March 25, 2020

TO: JOSEPH P. KELLY, US ATTORNEY
(Prosecuting Officer)

DISTRICT: NEBRASKA, OMAHA, NEBRASKA
(Jurisdiction)

And to all other prosecuting officers and courts of jurisdictions listed below from which indictments, informations or complaints are pending.

RE: PATRICK NEWCOMER #211208
(Inmate's Name and Number)

Dear Sir or Madam:

Pursuant to the provisions of Nebraska Statutes 29-3801 through 29-3809, the undersigned hereby offers to deliver temporary custody of the above-named prisoner to the appropriate authority in your county in order that a speedy and efficient prosecution may be had of the indictment, information or complaint which is described in the attached inmate's request.

The required Certificate of Inmate Status is enclosed.

Indictments, informations or complaints charging the following offenses also are pending against the inmate in other Nebraska counties and you are hereby authorized to transfer custody to the appropriate authorities in these jurisdictions for purpose of disposing of these indictments, informations or complaints.

Offense

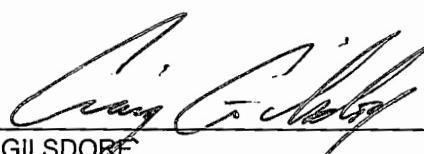
County or Other Jurisdiction

None

If you do not intend to bring the inmate to trial, will you please inform us as soon as possible.

Kindly Acknowledge.

DATE: March 25, 2020



CRAIG GILSDORF
AGREEMENT ADMINISTRATOR
SPECIAL SERVICES UNIT
P.O. BOX 94661
LINCOLN, NE 68509-4661
(for) DIRECTOR - SCOTT FRAKES
DEPARTMENT OF CORRECTIONAL SERVICES

CUSTODIAL AUTHORITY

Name: TAGGART BOYD, WARDEN
Institution: DIAGNOSTIC/EVALUATION CENTER
Address: 3220 WEST VAN DORN
City/State: LINCOLN, NE 68542-2800
Telephone Number: (402) 471-3330

NEBRASKA
DEPT OF CORRECTIONAL SERVICES

P.O. Box 94661
Lincoln, Nebraska 68509-4661
46-70-01

CERTIFIED MAIL®



7019 2280 0000 4542 0578

neopost®

03/27/2020

US POSTAGE \$007.05⁰

FIRST-CLASS MAIL



ZIP 68508
041M12252302

RECEIVED

MAR 30 2020

CLERK
U.S. DISTRICT COURT

DENISE M LUCKS
US DISTRICT COURT CLERK
111 S. 18TH PLAZA, SUITE 1152
OMAHA, NE 68102

*RETURN RECEIPT
REQUESTED*

6810231322 CO16

